

Serial No. 10/769,759

**REMARKS**

Reconsideration of the present application is respectfully requested.

Claims 1-22 have been rejected under 35 U.S.C. 103(a) as being obvious in view of DeLorme. This rejection is respectfully traversed.

The Examiner asserts that DeLorme teaches "a navigational system, a method, and a service provider, comprising...," but then does not provide any support for establishing a *prima facie* case of obviousness. In fact, the Examiner only provides evidence as to what DeLorme does not expressly disclose (a sign board comprising an exit number and related POI). Further, none of claims 1-22 recites "a sign board comprising an exit number and related POI." Therefore, the Examiner's rejection is deficient on its face and should be withdrawn. In addition, assuming *arguendo* the present rejection is maintained, the Examiner should provide clarification regarding this rejection prior to issuing any Final Rejection.

Notwithstanding the deficiency of the Examiner's above rejection, Applicants reference the Examiner to the remarks on the present invention that appear on pages 5-6 of the Amendment filed on December 21, 2004, and further note the following.

Independent claim 1 recites that a data storage means stores data on names and categories of points of interest indicated on sign boards provided at freeway exits and supplemental items regarding facilities and services available at the points of interest, and that a control means performs a search for a point of interest that provides a supplemental item specified by an input from a user based on data stored in a data storage means, and searches for an exit at which a sign board indicating the searched point of interest is provided and displays the searched exit on the display means.

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In the vehicle navigation system of the present invention, when a user inputs a category and service of a desired supplemental item, such as a bank with a foreign exchange service, the control means searches for and displays an exit where a point of interest for the desired supplemental item is indicated on a sign board. The control means can easily perform such a search because the relationship among, for example, exit numbers, points of interest and supplemental items are stored in a memory. Therefore, according to the vehicle navigation system recited in claim 1, a user can readily ascertain the appropriate exit to take in order to access a desired supplemental item merely by inputting the desired supplemental item into the system.

DeLorme discloses a computer aided routing and positioning system. As shown in FIG. 1L, the system includes a monitor screen on which is displayed a pop-up window. A facility and corresponding information on services at the facility are displayed in the pop-up window. However, unlike the navigation system of the present invention, a user would still have to consult a map to locate the appropriate exit to take in order to access the facility and its services even if the user knew about the services offered at the particular facility.

A close review of DeLorme reveals that DeLorme neither teaches nor suggests: (1) data storage means for storing data on names and categories of points of interest (POIs) *indicated on sign boards provided at freeway exits* and supplemental items regarding facilities and services available at the points of interest; or (2) control means for performing a search for a point of interest that provides a supplemental item specified by an input from a user based on data stored in the data storage means, *and for searching for an exit at which a sign board indicating the searched point of interest is provided and displaying the searched exit* (emphasis added).

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As best understood, the Examiner appears to assert at the top of page 3 of the office action that it would be obvious to associate supplemental item and POI information with a highway exit number. However, DeLorme is devoid of any such teaching or suggestion. Where does the Examiner assert that DeLorme teaches or suggests such a feature? As no support is provided, clarification is requested. Further, the Examiner mischaracterizes the present invention as recited in claim 1, as the recited data storage means stores data on names and categories of points of interest *indicated on sign boards* (emphasis added) provided at freeway exits to enable a user to easily identify the location of a supplemental item.

Claims 11 and 14 also recite a vehicle navigation system of the present invention but do not recite features regarding the sign board as discussed above in connection with claim 1. In addition, claims 11 and 14 have been amended to further recite:

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the data storage means stores data on categories of points of interest and on supplemental items regarding facilities and services that are available at the points of interest and that are searchable regardless of the categories of points of interest...

In other words, supplemental items regarding facilities and services (such as restrooms) are stored irrespective of POI categories (such as convenience stores). For example, a convenience store is primarily designed for providing retail sales and not for providing restroom service. However, in the vehicle navigation system of the present invention, the convenience store POI is stored so as to be correlated with the supplemental item of restroom service. As a result, a user can readily determine where (at which point of interest) he/she can find a supplemental item by inputting the desired supplemental item, regardless of the category into which the POI offering the restroom service is classified. (See, for example, FIG. 12, page 19, lines 3-8 and page 20, lines 12-17.)

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Unlike the vehicle navigation system recited in claims 11 and 14, DeLorme fails to teach or suggest a navigation system that stores data on categories of points of interest and on supplemental items regarding facilities and services that are available at the points of interest and that are searchable regardless of the categories of points of interest. As a result, the navigation system in DeLorme does not enable a user to retrieve information on POIs that include supplemental items different from normal primary services provided thereat.

Further, Applicants note that the Examiner at the bottom of page 2 – top of page 3 of the Final Rejection *appears* to rely on the fact that one skilled in the art would find it obvious to: (1) include exit number information in the pop-up window shown in FIG. 1L of DeLorme; (2) associate supplemental information, POI information and exit number information; and (3) add supplemental information to the system in DeLorme. However, the Examiner provides no real support for or specific details regarding these assertions. Therefore, it is assumed that the Examiner is basing these assertions on the theory of inherency. MPEP 2112 states:

"In relying upon the theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art." *Ex parte Levy*, 17 USPQ2d 1461, 1464 (BPAI 1990). (MPEP 2112, 8<sup>th</sup> Ed., Rev. 2, May 2004)

As the Examiner has not provided any technical reasoning or support for conclusory assertions (1) – (3) noted above, Applicants respectfully request that the Examiner specifically provide such technical reasoning or support (as required by MPEP 2112) or withdraw the rejection.

In summary, for the reasons set forth above, the Examiner has failed to establish a *prima facie* case of obviousness with respect to independent claims 1, 11 and 14. Therefore, it is respectfully requested that the Examiner's rejection of claims 1, 11 and 14, as well as all claims 2-10, 12, 13 and 15-22 dependent thereon, be withdrawn.

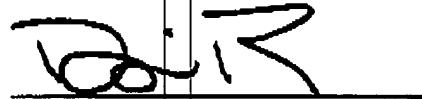
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In view of the foregoing, the Applicants respectfully submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

A Petition for a two month extension of time is being submitted herewith. Please charge the Petition fee, as well as any additional unforeseen fees that may be due, to Deposit Account No. 50-1147.

Respectfully submitted,



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